IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.944 OF 2004

WITH

CRIMINAL WRIT PETITION NO.1957 OF 2003

M/s.Khandekar Bokari Associates .. Petitioners

Versus

Dr.Mihir Madhavrao Suryavanshi

and Ors. .. Respondents

Mr.S.N.Chandrachud for petitioner

Mr.Rajesh Datar for respondent Nos. 1 and 2.

CORAM : A.M.KHANWILKAR, J.

DATE : SEPTEMBER 13, 2004.

P.C.

1. Preliminary objection is raised on behalf of respondent Nos. 1 and 2 that the petitioners cannot be permitted to avail different remedies for the same reliefs. In the light of this preliminary objection, learned Counsel for the petitioners states that the petitioners will press Criminal Application No.944 of 2004 only. At the request of the learned Counsel for petitioner Mr.Chandrachud, Criminal Application No.1957 of 2003 is dismissed as not pressed. Accordingly, hearing of Criminal Application No.944 of 2004 is proceeded.

2. Heard learned Counsel for the parties. I see no reason to depart from the view taken by the Court below in rejecting revision application preferred by the petitioner on the ground of unexplained delay of 22 months. Not a case for interference with the discretionary order passed by the court below. Rejected.

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